

cial Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, entitled 'An Act to change the boundaries of the Wichita Falls Independent School District in Wichita county, Texas,' and declaring an emergency." Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room.

Austin, Texas, February 14, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 131, "An Act to create the Liberty Independent School District in Bailey county, Texas, out of territory now comprising Common School District No. 3 of Bailey county, as heretofore created by the county board of trustees thereof; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the said Liberty Independent School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 3 of Bailey county; providing that title to any and all property of said common school district shall be vested in the trustees of independent school district hereby created; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected and qualified in accordance with the general laws of Texas, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room.

Austin, Texas, February 14, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 23, "An Act regulating the lights and lighting and operation of motor vehicles, tractors, motorcycles and bicycles in this State; prescribing the lights for such vehicles between the hours of half-hour after sunset and half-hour before sunrise; providing for tests

and approval of headlighting devices and equipment; prescribing specifications for the approval of headlighting devices; designating an official testing agency for the State of Texas; regulating the use of spot lights; providing for the establishment of county test stations; prescribing penalties for the violation of the provisions of this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

(TWENTY-SEVENTH DAY.)

(Continued.)

(Tuesday, February 17, 1925.)

The House met at 10 o'clock a. m. and was called to order by Speaker Satterwhite.

NOTICE GIVEN.

Mr. Downs gave notice that he would on tomorrow ask to be taken up for consideration Senate bill No. 6.

HOUSE BILL NO. 253 ON SECOND READING.

On motion of Mr. Pope, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 253, A bill to be entitled "An Act amending Chapter 51, Acts of the Regular Session of the Thirty-eighth Legislature, regulating publications in newspapers inserted by public officers, agents and agencies; prescribing the rate of charge thereof; fixing the price to be charged for political advertising; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 256 ON SECOND READING.

On motion of Mr. Baker of Panola, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 256, A bill to be entitled "An Act to amend Article 5118, Title 75, Revised Civil Statutes of Texas, 1911, prescribing who are liable for jury service and who are exempt from jury service."

The Speaker laid the bill before the House and it was read second time.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 256 by inserting in line 14, after the words of "United States," the following: "Provided, however, that no school trustee or alderman or commissioner of a town or city shall be exempted from jury service."

Signed—Stout, Farrar.

The amendment was adopted.

Mr. McFarlane offered the following amendment to the bill:

Amend by adding after word "ferry-men," line 21, page 1, the following: "farmers."

On motion of Mr. Baker of Panola, the amendment was tabled.

Mr. Graves offered the following amendment to the bill:

Amend House bill No. 256 by adding on page 1, after line 21, the following: "When engaged in the active discharge of their respective duties incident to their professions or occupations."

The amendment was lost.

Mr. Dunn of Hopkins offered the following amendment to the bill:

Amend House bill No. 256 by striking out lines 19 to 25, inclusive.

The amendment was lost.

Mr. Purl moved that further consideration of the bill be postponed indefinitely.

On motion of Mr. Farrar, the motion to postpone was tabled.

Mr. Strong offered the following amendment to the bill:

Amend House bill No. 256 to include all women in this State who are qualified voters, as qualified for jury service in civil cases, provided married women and women who are heads of families may claim household and family duties as legal exemptions.

The amendment was lost.

Mr. Bedford offered the following amendment to the bill:

Amend House bill No. 256 by adding thereto, beginning line 33: "any person who has acted as jury commissioner within the preceding twelve months."

The amendment was adopted.

Mr. Hoskins offered the following amendment to the bill:

By striking out the word "dentist," line 16, page 1, and the words "cashiers of banks," lines 24 and 25, page 1, House bill No. 256.

(Mr. Hall in the chair.)

The amendment was adopted.

Mr. DeBerry moved the previous question on the passage of the bill to en-

grossment, and the main question was ordered.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 256 then failed to pass to engrossment by the following vote:

Yeas—32.

Alexander	Kittrell.
of Bastrop.	Lane of Harrison.
Amsler.	Low.
Baker of Panola.	McFarlane.
Barron.	McNatt.
Bean.	Pearce.
Bedford.	Pope.
Bobbitt.	Rawlins.
Bryant.	Runge.
Cox of Navarro.	Sanford.
DeBerry.	Sinks.
Dielmann.	Sparks.
Farrar.	Stout.
Fields.	Taylor.
Frnka.	Wallace.
Harman.	Webb.
High.	Westbrook.
Hoskins.	Wester.
Jacks.	Williamson.
Jordan.	

Nays—72.

Acker.	Laird.
Albritton.	Lane of Hamilton.
Atkinson.	Lipscomb.
Avis.	Loftin.
Baker of Orange.	Mankin.
Bateman.	McBride.
Boggs.	McGill.
Brown.	Merritt.
Coffey.	Moore.
Conway.	Nicholson.
Coody.	Parish.
Cummings.	Pavlica.
Dale.	Perdue.
Daniels.	Poage.
Davis of Dallas.	Pool.
Davis of Wood.	Purl.
Dinkle.	Renfro.
Downs.	Rice.
Dunn of Hopkins.	Robinson.
Durham.	Rogers.
Enderby.	Rowell.
Faulk.	Rowland.
Finlay.	Shearer.
Florence.	Sheats.
Foster.	Smith of Nueces.
Graves.	Smith of Travis.
Gray.	Stautzenberger.
Hagaman.	Stevens.
Harper.	Storey.
Hull.	Strong.
Jasper.	Teer.
Johnson.	Thompson.
Jones.	Veatch.
Justice.	Walker.
Kayton.	Wells.
King.	Wilson.
Kinnear.	

Present—Not Voting.

Carter. Woodruff.
McDonald.

Absent.

Alexander Masterson.
of Limestone. Maxwell.
Barker. McDougald.
Bird. McKean.
Blount. Powell.
Covey. Raymer.
Cox of Lamar. Simmons.
Donnell. Simpson.
Dunlap. Smyth.
Dunn of Falls. Stell.
Hall. Tomme.
Hollowell. Wade.
Houston. Young.
Kemble.

Absent—Excused.

Bartlett. Kenyon.
Bonham. Montgomery.
Cade. Petsch.
Chitwood. Stevenson.
Irwin.

Mr. Purl moved to reconsider the vote by which the bill failed to pass to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 92 ON SECOND READING.

On motion of Mr. Acker, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 92. A bill to be entitled "An Act providing a method of validating titles to lands conveyed by guardians under the provisions of Chapters 11 and 12, Title 64, Revised Civil Statutes of Texas, 1911, as amended by Chapter 151, General Laws passed at the Regular Session of the Thirty-third Legislature of Texas, approved April 7, 1913, where county court failed to require the bond provided for by the fourth paragraph of Article 4162 and Article 4177 as amended."

The Speaker laid the bill before the House and it was read second time.

Mr. Acker offered the following (committee) amendments to the bill:

(1)

Section 1. Wherever it shall appear that lands of a ward have been conveyed by a guardian of such ward, under an order of the county court, entered in the minutes of the county court, authorizing the making of such conveyance, and it shall appear that the order of sale in

such proceeding failed to require the guardian to file the bond as provided by subdivision No. 4, of Article 4162, as amended, or that the bond was not filed and approved by the court as required by Article 4177, as amended, either the guardian of the ward whose lands were conveyed, or the owner or anyone having an interest in the land, may, while the guardianship is still pending, apply to the county court of the county where the proceeding for the sale of the land was had, at a regular term of said court for an order confirming the sale and validating the title attempted to be conveyed by the guardian in the earlier proceeding. Such application shall state the name, age and residence of the ward and name and residence of the guardian, description of the property, date when sold, and reference to the proceedings formerly had.

(2)

Amend Section 3 by striking out commencing after the word "sale," in line 14, the words "and quieting the title to the property in the purchaser under such sale" in line 15.

The amendments were severally adopted.

House bill No. 92 was then passed to engrossment.

HOUSE BILL NO. 85 ON SECOND READING.

On motion of Mr. Graves, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 85, A bill to be entitled "An Act providing for the appointment of assistant district attorneys and a special investigator in any judicial district consisting of more than one county, in any county in such district having a population in excess of 70,000, and providing for their salaries and the manner of their payment, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Daniels offered the following (committee) amendment to the bill:

Amend Section 1, by striking out all of said section and inserting the following in lieu thereof:

"Section 1. That in any judicial district in this State consisting of more than one county in which there may be a county having a population in excess of 70,000 inhabitants, according to the last census of the United States, and according to any United States census

which may hereafter be taken, the district attorney of each district is connected with and for the purpose of conducting his office in such county, shall be and is hereby authorized, with the approval of the county commissioners court of such county, to appoint one assistant district attorney, who shall receive a salary to be fixed by said commissioners court of such county, not to exceed \$2400 per annum. Such district attorney shall likewise be authorized, with the approval of such county commissioners court of such county, to appoint one special investigator, at a salary to be fixed by said commissioners court, not to exceed \$2400 per annum. The salary of such assistant and special investigator, above provided for, shall be paid by the county having a population of more than 70,000, by warrant drawn from the general funds thereof, all salaries payable monthly."

Mr. Daniels offered the following amendment to the amendment:

Amend House bill No. 85 by amending committee amendment No. 1 by striking out the word "is" in line 37, page 2, and substituting in lieu thereof the word "in."

Further amend by striking out the word "connected" in lines 37 and 38, page 2, and substituting in lieu thereof the word "connection."

The amendment to the amendment was adopted.

The (committee) amendment as amended was then adopted.

Mr. Daniels offered the following (committee) amendments to the bill:

Strike out the word "attorneys" in the second line of the caption and insert in lieu thereof the word "attorney."

Strike out the word "attorneys" in the first line of Section 2, and insert in lieu thereof the word "attorney."

Strike out the words "each of" at the beginning of the last sentence in Section No. 2.

Strike out the word "attorneys" in the last sentence in Section No. 2, and insert in lieu thereof, the word "attorney."

By adding the following to bottom of Section 2: "This act is not intended to repeal any other law now, but is cumulative thereof."

The amendments were severally adopted.

House bill No. 85 was then passed to engrossment.

HOUSE BILL NO. 92 ON THIRD READING.

Mr. Acker moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 92 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Acker.	Justice.
Albritton.	Kemble.
Alexander	Kinnear.
of Bastrop.	Kittrell.
Alexander	Laird.
of Limestone.	Lane of Hamilton.
Amsler.	Lane of Harrison.
Atkinson.	Lipscomb.
Avis.	Loftin.
Baker of Panola.	McBride.
Barker.	McDonald.
Barron.	McDougald.
Bateman.	McFarlane.
Bean.	McGill.
Bedford.	Merritt.
Bird.	Montgomery.
Bobbitt.	Moore.
Boggs.	Nicholson.
Bonham.	Parish.
Brown.	Pavlica.
Bryant.	Pearce.
Carter.	Perdue.
Chitwood.	Poage.
Coffey.	Purl.
Conway.	Rawlins.
Coody.	Renfro.
Covey.	Rice.
Cox of Navarro.	Robinson.
Cummings.	Rogers.
Dale.	Rowell.
Daniels.	Rowland.
Davis of Dallas.	Runge.
Davis of Wood.	Sanford.
DeBerry.	Shearer.
Dinkle.	Sheats.
Donnell.	Simpson.
Downs.	Sinks.
Dunn of Hopkins.	Smith of Nueces.
Durham.	Sparks.
Enderby.	Stautzenberger.
Farrar.	Stell.
Finlay.	Stout.
Foster.	Strong.
Frnka.	Taylor.
Graves.	Teer.
Gray.	Thompson.
Hagaman.	Wade.
Harman.	Walker.
Harper.	Webb.
High.	Westbrook.
Hollowell.	Wester.
Hoskins.	Williamson.
Jacks.	Wilson.
Johnson.	Woodruff.
Jordan.	

Sec. 3. No name shall be scratched off of any ticket and no name that is from one party ticket and written in printed on any ticket shall be scratched upon another party ticket.

The election judge in calling any ticket that has been voted straight should call "Democratic straight," "Republican straight," etc., and upon the tally sheet in horizontal column there shall be arranged as many spaces as there are different party nominees to be voted for in such election.

Sec. 4. When a constitutional amendment is to be voted on or any other question or proposition by the people of the State, district, county, precinct, or subdivision thereof, a square space shall be provided opposite the words "for the amendment" and "against the amendment" question or proposition wherein the voter shall make his cross-mark (X) in voting thereon as for or against the proposed question.

Sec. 5. A voter who moves to another precinct in the same county shall, five days prior to election day, in order to vote in the precinct of his new residence in a primary or general election, make application to the county collector under oath that his intentions are bona fide to make that precinct his permanent home, and the collector shall make the proper transfer of his name to the list of qualified voters of his new residence and he shall be entitled to vote in such precinct. The collector shall issue a receipt

to the voter showing the transfer and date thereof.

Sec. 6. Where a voter moves from one county to another county in the State, he should pay his poll tax in the county where due and then qualify himself as a voter in the county of his new residence, and have his name registered on the list of qualified voters of that county. He should present his poll tax receipt to the tax collector of the county where he paid it and the tax collector being advised of the intentions of the voter to move into another county, should indorse on the back of the poll tax receipt substantially these words: "the voter is moving to _____ county" and sign his name, dating it "_____ day of _____ 19—." The holder of the poll tax receipt may then present the same to the tax collector of the county of his new residence to which he has moved, and the tax collector of the county shall write on the back of the poll tax receipt the date and precinct in which the holder is then living and place his name on the poll list for his precinct, and, after he shall have been there as much as six months at the time of any election, he shall be entitled to vote.

Sec. 7. The official ballot of all primary elections shall be prepared in the following manner: The ballots shall contain the name of all candidates for all offices under the name of the office or place for which candidates are offering in the following form:

OFFICIAL BALLOT

..... Primary

For Governor—	1st Choice Vote for One	2nd Choice Vote for One
A. B..... County		
C. D..... County		
E. F..... County		
G. H..... County		
For Sheriff Jones, Tom		
Smith, Bill		
For County Judge— Black, Jim		
White, Ed		
Green, Will		

In case there are only two candidates for any office to be voted for at any such primary election, there shall be one square place to the right of each name and the candidate receiving the highest vote shall be the nominee of such primary and such office, and in case there are more than two candidates

for the same office, there shall be provided on the ballot two squares, the name of each candidate shall be designated as "First choice" and "Second choice," so that each voter shall indicate his first and second choice or preference by placing a cross-mark (X) in the appropriate squares.

Alexander	Johnson.
of Bastrop.	Justice.
Amsler.	King.
Atkinson.	Kinnear.
Avis.	Kittrell.
Baker of Orange.	Laird.
Baker of Panola.	Lane of Hamilton.
Barker.	Lane of Harrison.
Barron.	Lipscomb.
Bateman.	Loftin.
Bean.	McBride.
Bedford.	McDonald.
Bird.	McDougald.
Bobbitt.	McKean.
Boggs.	Merritt.
Bonham.	Montgomery.
Brown.	Moore.
Bryant.	Nicholson.
Carter.	Pavlica.
Chitwood.	Pearce.
Coffey.	Perdue.
Conway.	Pope.
Coody.	Purl.
Covey.	Rice.
Cox of Navarro.	Robinson.
Cummings.	Rogers.
Dale.	Rowell.
Daniels.	Runge.
Davis of Dallas.	Sanford.
Davis of Wood.	Shearer.
DeBerry.	Sheats.
Dinkle.	Simpson.
Downs.	Sinks.
Dunn of Falls.	Stautzenberger.
Dunn of Hopkins.	Stell.
Durham.	Stout.
Enderby.	Strong.
Faulk.	Taylor.
Fields.	Teer.
Finlay.	Thompson.
Foster.	Veatch.
Frnka.	Wade.
Graves.	Walker.
Hagaman.	Webb.
Harman.	Wells.
Harper.	Westbrook.
High.	Wester.
Hollowell.	Williamson.
Hoskins.	Wilson.
Jacks.	Woodruff.

Nays—5.

Farrar.	McGill.
Jordan.	Rowland.
Kemble.	

Present—Not Voting.

Gray.	Rawlins.
Poage.	Renfro.

Absent.

Alexander	Donnell.
of Limestone.	Dunlap.
Blount.	Florence.
Cox of Lamar.	Hall.
Dielmann.	Houston.

Hull.	Raymer.
Jasper.	Simmons.
Kayton.	Smith of Nueces.
Low.	Smith of Travis.
Mankin.	Smyth.
Masterson.	Sparks.
Maxwell.	Stevens.
McFarlane.	Storey.
McNatt.	Tomme.
Parish.	Wallace.
Pool.	Young.
Powell.	

Absent—Excused.

Bartlett.	Kenyon.
Cade.	Petsch.
Irwin.	Stevenson.
Jones.	

The Speaker then laid House bill No. 85 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—93.

Acker.	Harper.
Albritton.	High.
Alexander	Hollowell.
of Bastrop.	Hoskins.
Amsler.	Jacks.
Avis.	Johnson.
Baker of Panola.	Jordan.
Barron.	Justice.
Bateman.	Kayton.
Bedford.	Kemble.
Bird.	King.
Bobbitt.	Kinnear.
Boggs.	Lane of Hamilton.
Bonham.	Lipscomb.
Brown.	Loftin.
Bryant.	Mankin.
Chitwood.	McBride.
Coffey.	McDonald.
Conway.	McKean.
Covey.	Merritt.
Cox of Navarro.	Montgomery.
Cummings.	Moore.
Dale.	Nicholson.
Daniels.	Parish.
Davis of Dallas.	Pavlica.
Davis of Wood.	Pearce.
DeBerry.	Perdue.
Dinkle.	Poage.
Downs.	Pope.
Dunn of Falls.	Purl.
Dunn of Hopkins.	Rawlins.
Durham.	Renfro.
Enderby.	Rice.
Faulk.	Robinson.
Fields.	Rogers.
Finlay.	Rowell.
Foster.	Runge.
Frnka.	Shearer.
Graves.	Sheats.
Hagaman.	Simpson.
Harman.	Sinks.

Smith of Travis.	Walker.
Stautzenberger.	Wells.
Stout.	Westbrook.
Strong.	Wester.
Taylor.	Williamson.
Teer.	Wilson.
Thompson.	Woodruff.

Nays—9.

Bean.	Rowland.
Carter.	Stell.
Coody.	Wade.
Farrar.	Webb.
McGill.	

Absent.

Alexander	Masterson.
of Limestone.	Maxwell.
Atkinson.	McDougald.
Baker of Orange.	McFarlane.
Barker.	McNatt.
Blount.	Pool.
Cox of Lamar.	Powell.
Dielmann.	Raymer.
Donnell.	Sanford.
Dunlap.	Simmons.
Florence.	Smith of Nueces.
Gray.	Smyth.
Hall.	Sparks.
Houston.	Stevens.
Hull.	Storey.
Jasper.	Tomme.
Kittrell.	Veatch.
Laird.	Wallace.
Lane of Harrison.	Young.
Low.	

Absent—Excused.

Bartlett.	Kenyon.
Cade.	Petsch.
Irwin.	Stevenson.
Jones.	

HOUSE BILL NO. 253 ON THIRD READING.

Mr. Pope moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 253 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.

Acker.	Bean.
Albritton.	Bird.
Alexander	Blount.
of Bastrop.	Bobbitt.
Alexander	Boggs.
of Limestone.	Brown.
Amsler.	Bryant.
Avis.	Chitwood.
Baker of Panola.	Coffey.
Barker.	Conway.
Barron.	Coody.
Bateman.	Cox of Navarro.

Cummings.	Moore.
Dale.	Nicholson.
Daniels.	Parish.
Davis of Wood.	Pavlica.
Dinkle.	Pearce.
Downs.	Perdue.
Dunn of Falls.	Poage.
Dunn of Hopkins.	Pope.
Durham.	Purl.
Enderby.	Rawlins.
Faulk.	Rice.
Fields.	Robinson.
Finlay.	Rogers.
Foster.	Rowell.
Frnka.	Rowland.
Graves.	Runge.
Hagaman.	Sanford.
Harman.	Shearer.
Harper.	Simpson.
High.	Sinks.
Hollowell.	Smith of Travis.
Hoskins.	Stautzenberger.
Jacks.	Stell.
Johnson.	Strong.
Jones.	Taylor.
Jordan.	Thompson.
Kayton.	Veatch.
Kinnear.	Wade.
Kittrell.	Wallace.
Laird.	Webb.
Lane of Hamilton.	Wells.
Lipscomb.	Wester.
Mankin.	Williamson.
McBride.	Wilson.
McDougald.	Woodruff.
Merritt.	

Nays—7.

Bedford.	Kemble.
Farrar.	McGill.
Gray.	Walker.
Justice.	

Present—Not Voting.

Atkinson.	Jasper.
Davis of Dallas.	Renfro.

Absent.

Baker of Orange.	McFarlane.
Bonham.	McKean.
Carter.	McNatt.
Covey.	Montgomery.
Cox of Lamar.	Pool.
DeBerry.	Powell.
Dielmann.	Raymer.
Donnell.	Sheats.
Dunlap.	Simmons.
Florence.	Smith of Nueces.
Hall.	Smyth.
Houston.	Sparks.
Hull.	Stevens.
King.	Storey.
Lane of Harrison.	Stout.
Loftin.	Teer.
Low.	Tomme.
Masterson.	Westbrook.
Maxwell.	Young.
McDonald.	

Absent—Excused.

Bartlett.	Kenyon.
Cade.	Petsch.
Irwin.	Stevenson.

The Speaker then laid House bill No. 253 before the House on its third reading and final passage.

The bill was read third time.

Mr. Barker offered the following amendment to the bill:

Amend House bill No. 253, page 2, after the period in line 16, by adding a new section, as follows:

"Section 5a. Any person, firm, corporation, association or manager violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than twenty dollars nor more than one hundred dollars."

(Speaker in the chair.)

Mr. Purl moved to table the amendment, and the motion to table was lost.

Question then recurring on the amendment, it was lost.

Mr. Gray offered the following amendment to the bill:

Amend House bill No. 253, on page 2, lines 12 and 13, by striking out the words "and those under Article 3757 of the Revised Civil Statutes."

On motion of Mr. Pope, the amendment was tabled.

Mr. Barron offered the following amendment to the bill:

Amend House bill No. 253 by adding at the end of Section 5 the following: "provided, that if said newspapers refuse to publish legal notices in accordance with the terms of this act, the maximum to be charged being \$1 for square of 100 words for first insertion and not more than 50 cents for 100 words for each additional insertion, then said legal notices may be posted."

RESOLUTION SIGNED BY SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 13, Relating to Cotton Tax Act.

RECESS.

Mr. Harman moved that the House adjourn until 2 o'clock p. m. today.

Mr. Sheats moved that the House recess until 3 o'clock p. m. today.

The motion of Mr. Sheats prevailed and the House, accordingly, at 12 o'clock m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 17, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 440, A bill to be entitled "An Act authorizing the issuance of State of Texas refunding bonds in the amount of seven hundred fifty thousand (\$750,000) dollars, dated February 1, 1925, bearing five (5) per cent interest, payable semi-annually, to be executed and delivered in lieu thereof to the holder of State of Texas Funding Bonds, Series 1923, dated February 1, 1923, due February 1, 1925, and prescribing the duties of various State officials in reference thereto and making an appropriation to pay the principal and interest thereof and to pay the expenses thereof, repealing the appropriation made to support the original issue of bonds, and declaring an emergency."

S. B. No. 196, A bill to be entitled "An Act to authorize railroad companies to construct and operate spur or industrial tracks and to condemn property for right of way therefor, and declaring an emergency."

H. B. No. 218, A bill to be entitled "An Act repealing Chapter 60 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 12 of the General Laws of the First Called Session of the Thirty-fifth Legislature as amended by Chapter 4 of the General Laws of the Second Called Session of the Thirty-fifth Legislature as amended by Chapter 64 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 27 of the General Laws of the Second Called Session of the Thirty-sixth Legislature, as amended by Chapter 38 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 10 of the General Laws of the Fourth Called Session of the Thirty-sixth Legislature, and an act to embody in one act the substance of the provisions of said repealed statutes with substantially the following eliminations and changes, viz: (1) Abolishing the system of compulsory tick eradication and eradication zones, as provided for in said repealed statutes. (2) Providing for the plac-

ing under quarantine of all portions of Texas that are at present infested with the fever-carrying tick. (3) Providing for compulsory tick eradication work, at the expense of the State and the several counties as provided for in this act, such work to commence and be initiated in all tick-infested counties and portions of counties bounded on the east by the Brazos River, from the mouth of said river to the northwest corner of Robertson county, and all counties north and west of the following lines: Commencing at the northwest corner of Robertson county, on said Brazos River; thence in an easterly direction with the north lines of Robertson and Leon counties to the northeast corner of Leon county, in the west line of Anderson county, to where the same intersects Leon county, in the west line of Anderson county; thence in a northerly direction, following the west line of Anderson county, to the northwest corner of said county and southeast line between said counties of Anderson and Henderson to the northeast corner of Anderson county and the southeast corner of Henderson county; thence in a northerly direction, following the west line of Cherokee county, to the northwest corner of said county, same being the southwest corner of Smith county; thence in an easterly direction, following the north line of Cherokee county to the northeast corner of same, being the southeast corner of said Smith county in a northeast corner of same, being the southeast corner of said Smith county, in a northerly direction to the northwest corner of same, said point being the southwest corner of Gregg county; thence in an easterly direction, following the north line of Rusk county; to where the same intersects the south line of Harrison county; thence with the south line of Harrison county and the north line of Panola county to the southeast corner of said Harrison county and the northeast corner of Panola county, on the line of the State of Louisiana; and providing for the prosecution of said compulsory tick eradication of the last above mentioned line are freed of the fever-carrying tick and are released from quarantine by the Live Stock Sanitary Commission of the State of Texas. (4) Prohibiting the owners of live stock in quarantine areas from shipping, driving, or permitting such stock to go, without legally issued permits therefor, into or along the side of any area that is free of fever-carrying ticks or in which systematic tick eradication is being carried on and prescribing penalties for a violation of said requirement. (5) Pro-

hibiting the owners, care takers or persons in charge of any cattle infested with the fever-carrying tick from shipping, driving, drifting or permitting said cattle to go into any other county or portion of county within this State that is free of ticks or that may have been released from quarantine by the Live Stock Sanitary Commission of the State of Texas, and providing penalties therefor," with amendments.

The Senate has adopted the report of the Free Conference Committee report on House bill No. 80 unanimously.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 218 WITH SENATE AMENDMENTS.

Mr. Stevenson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 218, A bill to be entitled "An Act repealing Chapter 60 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 12 of the General Laws of the First Called Session of the Thirty-fifth Legislature, as amended by Chapter 4 of the General Laws of the Second Called Session of the Thirty-fifth Legislature, as amended by Chapter 64 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 27 of the General Laws of the Second Called Session of the Thirty-sixth Legislature, as amended by Chapter 38 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 10 of the General Laws of the Fourth Called Session of the Thirty-sixth Legislature, and an act to embody in one act the substance of the provisions of said repealed statutes, with substantially the following eliminations and changes, viz: 1. Abolishing the system of compulsory tick eradication and eradication zones, as provided for in said repealed statutes. 2. Providing for the placing under quarantine of all portions of Texas that are at present infested with the fever-carrying tick," etc.

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Stevenson, the House concurred in the Senate amendments by the following vote:

Yeas—102.

Acker.

Amsler.

Avis.	Laird.
Baker of Orange.	Lane of Hamilton.
Baker of Panola.	Lipscomb.
Barker.	Loftin.
Barron.	Low.
Bateman.	Mankin.
Bean.	Masterson.
Bedford.	McBride.
Bird.	McDonald.
Blount.	McDougald.
Bobbitt.	McGill.
Boggs.	McNatt.
Bonham.	Moore.
Brown.	Nicholson.
Chitwood.	Parish.
Coffey.	Pavlica.
Conway.	Pearce.
Coody.	Perdue.
Covey.	Poage.
Cox of Lamar.	Pool.
Cox of Navarro.	Pope.
Dale.	Purl.
Daniels.	Renfro.
Davis of Wood.	Rice.
DeBerry.	Robinson.
Dinkle.	Rogers.
Donnell.	Rowell.
Downs.	Rowland.
Dunlap.	Runge.
Dunn of Falls.	Sanford.
Dunn of Hopkins.	Shearer.
Durham.	Sheats.
Enderby.	Simmons.
Fields.	Sinks.
Finlay.	Smith of Nueces.
Foster.	Sparks.
Frnka.	Stautzenberger.
Graves.	Stell.
Gray.	Stevens.
Hagaman.	Stevenson.
Hall.	Teer.
Harman.	Thompson.
Harper.	Tomme.
High.	Wells.
Hoskins.	Westbrook.
Hull.	Wester.
Jordan.	Williamson.
Justice.	Wilson.
King.	Woodruff.
Kinnear.	Young.
Kittrell.	

Nays—15.

Albritton.	Jacks.
Alexander	Jasper.
of Bastrop.	McFarlane.
Alexander	Powell.
of Limestone.	Smyth.
Atkinson.	Taylor.
Bryant.	Walker.
Carter.	Webb.
Hollowell.	

Present—Not Voting.

Cummings.	Stout.
Farrar.	Wade.

Absent.

Davis of Dallas.	Merritt.
Dielmann.	Rawlins.
Faulk.	Raymer.
Florence.	Simpson.
Houston.	Smith of Travis.
Johnson.	Storey.
Kayton.	Strong.
Kemble.	Veatch.
Maxwell.	Wallace.
McKean.	

Absent—Excused.

Bartlett.	Kenyon.
Cade.	Lane of Harrison.
Irwin.	Montgomery.
Jones.	Petsch.

HOUSE BILL NO. 253 ON FINAL PASSAGE.

The House resumed consideration of pending business, same being House bill No. 253, relating to newspapers of Texas, on its final passage, with amendment by Mr. Barron pending.

Mr. Pope moved to table the pending amendment, and the motion to table was lost.

Question then recurring on the amendment, it was adopted.

House bill No. 253 was then finally passed.

Mr. McFarlane moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 142 ON SECOND READING.

On motion of Mr. Cox of Navarro, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 142, A bill to be entitled "An Act amending Section 9, of Chapter 40, General Laws passed at the First, Second and Third Called Sessions of the Thirty-eighth Legislature of the State of Texas, relating to agricultural credit corporations; regulating the rate of interest to be charged by corporations organized under the provisions of said chapter."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 142 ON THIRD READING.

Mr. Acker moved that the constitutional rule requiring bills to be read on three several days be suspended and that

House bill No. 142 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Acker.	Johnson.
Albritton.	Jordan.
Alexander	Justice.
of Bastrop.	Kemble.
Alexander	King.
of Limestone.	Kittrell.
Amsler.	Laird.
Atkinson.	Lane of Hamilton.
Avis.	Low.
Baker of Orange.	Mankin.
Baker of Panola.	McBride.
Barron.	McFarlane.
Bateman.	McGill.
Bean.	Merritt.
Bedford.	Montgomery.
Bird.	Moore.
Bobbitt.	Nicholson.
Boggs.	Parish.
Bryant.	Pavlica.
Chitwood.	Pearce.
Coffey.	Poage.
Conway.	Powell.
Coody.	Purl.
Cox of Lamar.	Rawlins.
Cox of Navarro.	Raymer.
Dale.	Renfro.
Daniels.	Rice.
Davis of Dallas.	Rogers.
Davis of Wood.	Rowell.
DeBerry.	Runge.
Dinkle.	Sanford.
Donnell.	Shearer.
Downs.	Sheats.
Dunlap.	Simmons.
Dunn of Falls.	Simpson.
Dunn of Hopkins.	Smith of Nueces.
Enderby.	Smith of Travis.
Fields.	Smyth.
Finlay.	Stautzenberger.
Florence.	Stell.
Frnka.	Stout.
Graves.	Taylor.
Gray.	Teer.
Hagaman.	Thompson.
Hall.	Walker.
Harman.	Webb.
Harper.	Wells.
High.	Westbrook.
Hollowell.	Wester.
Hoskins.	Williamson.
Jacks.	Woodruff.
Jasper.	Young.

Nays—4.

Bonham.	Carter.
Brown.	Perdue.

Present—Not Voting.

Durham.

Absent.

Barker.	McDougald.
Blount.	McKean.
Covey.	McNatt.
Cummings.	Pool.
Dielmann.	Pope.
Farrar.	Robinson.
Faulk.	Rowland.
Foster.	Sinks.
Houston.	Sparks.
Hull.	Stevens.
Kayton.	Storey.
Kinnear.	Strong.
Lipscomb.	Tomme.
Loftin.	Veatch.
Masterson.	Wade.
Maxwell.	Wallace.
McDonald.	Wilson.

Absent—Excused.

Bartlett.	Kenyon.
Cade.	Lane of Harrison.
Irwin.	Petsch.
Jones.	Stevenson.

The Speaker then laid House bill No. 142 before the House on its third reading and final passage.

The bill was read third time and was passed.

COMMITTEE IN REGARD TO PORTRAIT OF STEPHEN F. AUSTIN.

The Speaker announced the appointment of the following committee in compliance with a resolution relating to portrait of Stephen F. Austin:

Messrs. Harman, Loftin and Bonham.

HOUSE BILL NO. 143 ON SECOND READING.

On motion of Mr. Lipscomb, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 143, A bill to be entitled "An Act for the protection of those dealing with trustees."

The Speaker laid the bill before the House and it was read second time.

Mr. Acker offered the following (committee) amendment to the bill:

"Section 1. Where a trust is created, but is not contained or declared in the conveyance to the trustee, or when a conveyance or transfer is made to a trustee without disclosing the names of the beneficiary, or beneficiaries, the trustee shall be held to have the power to convey or transfer or encumber the title and whenever he shall execute and deliver a conveyance or transfer or en-

cumbrance of such property, as trustee, such conveyance or transfer or encumbrance shall not thereafter be questioned by any one claiming as a beneficiary under such trust or by anyone claiming by, through, or under an undisclosed beneficiary."

(Mr. Wade in the chair.)

Mr. Barron offered the following amendment to the amendment:

Amend (committee) amendment No. 1 on page 2 by adding at the end of said amendment the following: "provided that none of the trust property in the hands of said trustee shall be liable for personal obligations of said trustee."

The amendment to the amendment was adopted.

The (committee) amendment as amended was then adopted.

House bill No. 143 was then passed to engrossment.

HOUSE BILL NO. 143 ON THIRD READING.

Mr. Acker moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 143 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.

Acker.	Enderby.
Alexander	Farrar.
of Bastrop.	Finlay.
Amsler.	Florence.
Atkinson.	Foster.
Baker of Orange.	Frnka.
Baker of Panola.	Graves.
Barker.	Gray.
Barron.	Hagaman.
Bateman.	Hall.
Bean.	Harper.
Bedford.	High.
Bobbitt.	Hollowell.
Boggs.	Hoskins.
Brown.	Jacks.
Bryant.	Johnson.
Coffey.	Jordan.
Conway.	Justice.
Coody.	Kinnear.
Covey.	Lipscomb.
Cox of Navarro.	Loftin.
Dale.	Low.
Daniels.	Mankin.
Davis of Dallas.	Masterson.
Davis of Wood.	Maxwell.
DeBerry.	McBride.
Dielmann.	McDougald.
Donnell.	McFarlane.
Downs.	McGill.
Dunn of Hopkins.	McKean.
Durham.	McNatt.

Montgomery.	Simmons.
Moore.	Simpson.
Nicholson.	Sinks.
Parish.	Smith of Nueces.
Pavlica.	Smyth.
Pearce.	Sparks.
Poage.	Stautzenberger.
Pope.	Stell.
Powell.	Storey.
Purl.	Stout.
Rawlins.	Taylor.
Raymer.	Thompson.
Renfro.	Walker.
Robinson.	Wells.
Rogers.	Westbrook.
Rowell.	Wester.
Runge.	Williamson.
Shearer.	Wilson.
Sheats.	Woodruff.

Nays—9.

Albritton.	Lane of Hamilton.
Avis.	Perdue.
Carter.	Rowland.
Cox of Lamar.	Stevens.
Laird.	

Absent.

Alexander	Kemble.
of Limestone.	King.
Bird.	Kittrell.
Blount.	McDonald.
Bonham.	Merritt.
Chitwood.	Pool.
Cummings.	Rice.
Dinkle.	Sanford.
Dunlap.	Smith of Travis.
Dunn of Falls.	Strong.
Faulk.	Teer.
Fields.	Tomme.
Harman.	Veatch.
Houston.	Wade.
Hull.	Wallace.
Jasper.	Webb.
Kayton.	Young.

Absent—Excused.

Bartlett.	Kenyon.
Cade.	Lane of Harrison.
Irwin.	Petsch.
Jones.	Stevenson.

The Speaker then laid House bill No. 143 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

Acker.	Barker.
Alexander	Barron.
of Bastrop.	Bateman.
Amsler.	Bean.
Atkinson.	Bedford.
Baker of Orange.	Bobbitt.
Baker of Panola.	Boggs.

Bonham.	Maxwell.
Brown.	McBride.
Bryant.	McDonald.
Coffey.	McDougald.
Conway.	McFarlane.
Coody.	McKean.
Covey.	McNatt.
Cox of Navarro.	Montgomery.
Dale.	Moore.
Daniels.	Nicholson.
Davis of Dallas.	Parish.
Davis of Wood.	Pavlica.
DeBerry.	Pearce.
Dielmann.	Poage.
Donnell.	Pool.
Downs.	Pope.
Dunn of Hopkins.	Powell.
Durham.	Rawlins.
Enderby.	Raymer.
Farrar.	Renfro.
Finlay.	Robinson.
Florence.	Rogers.
Foster.	Rowell.
Frnka.	Runge.
Graves.	Sheats.
Gray.	Simmons.
Hagaman.	Simpson.
Hall.	Sinks.
Harper.	Smith of Nueces.
High.	Smyth.
Hollowell.	Sparks.
Hoskins.	Stautzenberger.
Hull.	Stell.
Jacks.	Stout.
Johnson.	Taylor.
Justice.	Thompson.
King.	Walker.
Kinnear.	Wallace.
Kittrell.	Wells.
Lane of Harrison.	Westbrook.
Lipscomb.	Wester.
Low.	Williamson.
Mankin.	Wilson.
Masterson.	

Nays—9.

Albritton.	Laird.
Avis.	Lane of Hamilton.
Carter.	Perdue.
Cox of Lamar.	Rowland.
Harman.	

Present—Not Voting.

Woodruff.

Absent.

Alexander	Houston.
of Limestone.	Jasper.
Bird.	Jordan.
Blount.	Kayton.
Chitwood.	Kemble.
Cummings.	Loftin.
Dinkle.	McGill.
Dunlap.	Merritt.
Dunn of Falls.	Rice.
Faulk.	Sanford.
Fields.	Shearer.

Smith of Travis.	Tomme.
Stevens.	Veatch.
Storey.	Wade.
Strong.	Webb.
Teer.	Young.

Absent—Excused.

Bartlett.	Kenyon.
Cade.	Petsch.
Irwin.	Purl.
Jones.	Stevenson.

THANKING HON. NATHANIEL JACKS.

On motion of Mr. Barron, the House extended a vote of thanks to Hon. Nathaniel Jacks for ice cream which was served them as a treat from Mr. Jacks. (Speaker in the chair.)

HOUSE BILL NO. 174 ON SECOND READING.

On motion of Mr. Sheats, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 174, A bill to be entitled "An Act to acquit, quitclaim, grant and release unto Laura Weir Scott, her heirs and assigns, all right, title and interest which the State of Texas now has or may hereafter have in and to the tract of 110 acres of land, more or less, part of the J. S. Irvine survey, situated in Hays and Travis counties, Texas, described in the deed dated April 19, 1922, executed by Mrs. Montie B. Botts to the said Laura Weir Scott and of record in book No. 335, pages 363 to 365 of the deed records of Travis county, Texas, which right, title and interest the State of Texas has or may have by virtue of the following provision contained in said deed, to-wit; during the lifetime of the said Frank D. Scott, the said Laura Weir Scott shall not have any right nor power to sell, mortgage or encumber in any way the land hereby conveyed to her and if she, at any time, undertakes to so do, either directly or indirectly, then immediately and automatically all interest therein in her favor will absolutely terminate and end, and from that date or occurrence forward she will have no further interest in said property of any kind or character, but, in any such event or events, the title thereto will vest in fee simple together and equally in any lawful issue of her body then living and in the absence of any such living issue, same will revert and become the property of the State of Texas."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 174 ON THIRD
READING.

Mr. Sheats moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 174 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Acker.	Maxwell.
Alexander	McBride.
of Bastrop.	McDonald.
Amsler.	McGill.
Avis.	McKean.
Baker of Orange.	McNatt.
Baker of Panola.	Montgomery.
Barker.	Moore.
Barron.	Nicholson.
Bateman.	Parish.
Bedford.	Pavlica.
Bird.	Pearce.
Bobbitt.	Perdue.
Boggs.	Poage.
Brown.	Pool.
Bryant.	Pope.
Chitwood.	Powell.
Coffey.	Raymer.
Conway.	Renfro.
Coody.	Robinson.
Cox of Lamar.	Rogers.
Cox of Navarro.	Rowell.
Dale.	Rowland.
Davis of Dallas.	Runge.
Davis of Wood.	Sanford.
DeBerry.	Sheats.
Dielmann.	Simmons.
Donnell.	Simpson.
Downs.	Sinks.
Finlay.	Smith of Nueces.
Florence.	Smith of Travis.
Foster.	Smyth.
Frnka.	Sparks.
Graves.	Stautzenberger.
Hall.	Stell.
Harper.	Stevenson.
High.	Storey.
Hollowell.	Stout.
Hoskins.	Thompson.
Hull.	Veatch.
Jacks.	Walker.
Johnson.	Wallace.
Justice.	Webb.
Kemble.	Wells.
King.	Westbrook.
Kinnear.	Wester.
Laird.	Williamson.
Lipscomb.	Wilson.
Mankin.	Woodruff.
Masterson.	Young.

Nays—8.

Albritton.	Bean.
Atkinson.	Bonham.

Enderby.
Farrar.

Lane of Hamilton.
Taylor.

Absent.

Alexander	Jasper.
of Limestone.	Jordan.
Blount.	Kayton.
Carter.	Kittrell.
Covey.	Loftin.
Cummings.	Low.
Daniels.	McDougald.
Dinkle.	McFarlane.
Dunlap.	Merritt.
Dunn of Falls.	Rawlins.
Dunn of Hopkins.	Rice.
Durham.	Shearer.
Faulk.	Stevens.
Fields.	Strong.
Gray.	Teer.
Hagaman.	Tomme.
Harman.	Wade.
Houston.	

Absent—Excused.

Bartlett.	Kenyon.
Cade.	Lane of Harrison.
Irwin.	Petsch.
Jones.	Purl.

The Speaker then laid House bill No. 174 before the House on its third reading and final passage.

The bill was read third time and was passed.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 17, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 233, A bill to be entitled "An Act providing that all statements made to any fraternal benefit society by the insured shall, in the absence of fraud, be deemed representations and not warranties; that the policies shall be incontestible after two years from date; and providing that in all cases where a loss occurs and the fraternal benefit society liable thereunder shall fail to pay the same within thirty days after demand therefor, such society shall be liable to pay the beneficiary of such policy, in addition to the amount of the loss, twelve per cent damages on the amount of such loss, together with reasonable attorneys' fees for the prosecution and collection of such loss."

The Senate refused to concur in House amendments to Senate bill No. 113, and requests the appointment of a Free Con-

ference Committee to adjust the differences.

The following are appointed as conferees on part of the Senate: Senators Holbrook, Strong, Bailey, Ward and Fairchild.

The Senate has adopted the adverse minority report on Senate Joint Resolution No. 1.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 394 ON SECOND READING.

On motion of Mr. Nicholson, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 394, A bill to be entitled "An Act to amend Article 1399 of the Revised Statutes of Texas, by providing that the assessor of taxes and collector of taxes in counties having within their boundaries a city or cities, other than the county seat, having a population of 20,000 or more, may maintain a branch office in said city or cities with one or more deputies, and providing for the payment of expenses for maintaining said office."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 394 ON THIRD READING.

Mr. Nicholson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 394 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Albritton.	Carter.
Alexander	Chitwood.
of Bastrop.	Coffey.
Alexander	Conway.
of Limestone.	Coody.
Amsler.	Covey.
Avis.	Cox of Lamar.
Baker of Orange.	Dale.
Baker of Panola.	Daniels.
Barker.	Davis of Dallas.
Barron.	Davis of Wood.
Bateman.	DeBerry.
Bean.	Dielmann.
Bird.	Dinkle.
Bonham.	Donnell.
Brown.	Downs.
Bryant.	Dunn of Falls.

Dunn of Hopkins.	Nicholson.
Durham.	Parish.
Farrar.	Pavlica.
Fields.	Pearce.
Foster.	Perdue.
Graves.	Pool.
Gray.	Pope.
Hagaman.	Powell.
Harman.	Purl.
Harper.	Renfro.
High.	Rice.
Hollowell.	Robinson.
Hoskins.	Rogers.
Jacks.	Runge.
Johnson.	Sanford.
Jordan.	Shearer.
Justice.	Sheats.
King.	Simpson.
Kinnear.	Smyth.
Lane of Hamilton.	Stautzenberger.
Lipscomb.	Stell.
Loftin.	Stevens.
Low.	Stevenson.
Mankin.	Stout.
Masterson.	Taylor.
Maxwell.	Thompson.
McBride.	Veatch.
McDonald.	Walker.
McDougald.	Webb.
McGill.	Wells.
McKean.	Westbrook.
McNatt.	Wester.
Merritt.	Williamson.
Montgomery.	Woodruff.
Moore.	

Nays—6.

Bedford.	Poage.
Enderby.	Rowland.
Hull.	Simmons.

Present—Not Voting.

Young.

Absent.

Acker.	Kittrell.
Atkinson.	Laird.
Blount.	McFarlane.
Bobbitt.	Rawlins.
Boggs.	Raymer.
Cox of Navarro.	Rowell.
Cummings.	Sinks.
Dunlap.	Smith of Nueces.
Faulk.	Smith of Travis.
Finlay.	Sparks.
Florence.	Storey.
Frnka.	Strong.
Hall.	Teer.
Houston.	Tomme.
Jasper.	Wade.
Kayton.	Wallace.
Kemble.	Wilson.

Absent—Excused.

Bartlett.	Irwin.
Cade.	Jones.

Kenyon. Petsch.
Lane of Harrison.

The Speaker then laid House bill No. 394 before the House on its third reading and final passage.

The bill was read third time and was passed.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 440, "An Act authorizing the issuance of State of Texas refunding bonds in the amount of seven hundred fifty thousand (\$750,000) dollars, dated February 1, 1925, bearing five (5) per cent interest, payable semi-annually, to be executed and delivered in lieu thereof to the holder of State of Texas Funding Bonds, Series 1923, dated February 1, 1923, due February 1, 1925, and prescribing the duties of various State officials in reference thereto, and making an appropriation to pay the principal and interest thereon and to pay the expenses thereof, repealing the appropriation made to support the original issue of bonds, and declaring an emergency."

HOUSE BILL NO. 219 ON SECOND READING.

On motion of Mr. Hall, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 219, A bill to be entitled "An Act to amend an act passed at the Regular Session of the Thirty-eighth Legislature, being Chapter 171 of the General Laws, passed by the Thirty-eighth Legislature and being 'An Act fixing in counties having a population in excess of one hundred and fifty thousand inhabitants, the compensation of district attorneys and providing for the appointment of assistant district attorneys, investigators, stenographers, deputies and other employes, and providing for their salaries and the manner of their payment, and repealing all laws in conflict herewith with exception, and declaring an emergency,' by providing that one of the seven assistant district attorneys authorized by the act to be appointed shall receive a salary not to exceed four thousand eight hundred dollars per annum, instead of a salary not to exceed three thousand six hundred dollars per annum, as provided in the act amended, and two other of said as-

sistants at salaries not to exceed three thousand six hundred dollars per annum each, instead of a salary not to exceed three thousand dollars per annum each, as is provided in the act amended, all payable monthly by said counties, by warrant drawn from the general funds thereof, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 219 ON THIRD READING.

Mr. Kittrell moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 219 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.

Albritton.	Jacks.
Amsler.	Johnson.
Avis.	Jordan.
Baker of Panola.	Justice.
Barker.	Kayton.
Barron.	King.
Bateman.	Kinnear.
Bean.	Kittrell.
Bedford.	Loftin.
Bird.	Low.
Boggs.	Mankin.
Brown.	Masterson.
Chitwood.	Maxwell.
Coffey.	McBride.
Conway.	McDonald.
Coody.	McDougald.
Covey.	McGill.
Cummings.	McNatt.
Dale.	Merritt.
Daniels.	Montgomery.
Davis of Wood.	Moore.
DeBerry.	Nicholson.
Dielmann.	Parish.
Dinkle.	Pavlica.
Donnell.	Pearce.
Dunn of Falls.	Poage.
Durham.	Pool.
Enderby.	Pope.
Fields.	Purl.
Finlay.	Raymer.
Florence.	Renfro.
Foster.	Rice.
Graves.	Robinson.
Gray.	Rogers.
Hagaman.	Rowell.
Hall.	Rowland.
Harman.	Runge.
Harper.	Sanford.
High.	Shearer.
Hollowell.	Sheats.
Hoskins.	Simmons.
Hull.	Simpson.

Sinks.	Walker.
Smyth.	Wallace.
Sparks.	Wells.
Stell.	Wester.
Stevenson.	Williamson.
Storey.	Woodruff.
Veatch.	

Nays—11.

Alexander	Lipscomb.
of Bastrop.	Perdue.
Bryant.	Stautzenberger.
Davis of Dallas.	Stout.
Farrar.	Taylor.
Lane of Hamilton.	Webb.

Present—Not Voting.

Jasper.

Absent.

Acker.	Kemble.
Alexander	Laird.
of Limestone.	McFarlane.
Atkinson.	McKean.
Baker of Orange.	Powell.
Blount.	Rawlins.
Bobbitt.	Smith of Nueces.
Bonham.	Smith of Travis.
Carter.	Stevens.
Cox of Lamar.	Strong.
Cox of Navarro.	Teer.
Downs.	Thompson.
Dunlap.	Tomme.
Dunn of Hopkins.	Wade.
Faulk.	Westbrook.
Frnka.	Wilson.
Houston.	Young.

Absent—Excused.

Bartlett.	Kenyon.
Cade.	Lane of Harrison.
Irwin.	Petsch.
Jones.	

The Speaker then laid House bill No. 219 before the House on its third reading and final passage.

The bill was read third time and was passed.

ADJOURNMENT.

On motion of Mr. Barker, the House, at 4:55 o'clock p. m., adjourned until 4:56 o'clock p. m. Tuesday, February 17th.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees filed favorable reports today on bills as follows:

Claims and Accounts—House bill No. 184.

Judicial Districts—House bill No. 442; Senate bill No. 205.

Labor—House bill No. 436.

School Districts—House bills Nos. 445, 449, 417, 74, 399, 403, 404, 86, 450.

State Affairs—House bill No. 346; Senate bill No. 46.

The following standing committees filed adverse reports today on bills as follows:

Judicial Districts—House bill No. 475.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 17, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 38, A bill to be entitled "An Act making provisions for a better system of schools in the various counties of this State; providing for rural high school districts and elementary school districts; providing the method of forming such districts and providing the manner in which school districts may be included in such rural high school districts and elementary school districts; providing for the necessary taxation and funds to carry out such purposes, and declaring an emergency,"

And find the same correctly engrossed.

COVEY, Vice-Chairman.

Committee Room

Austin, Texas, February 17, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 295, A bill to be entitled "An Act regulating the practice of optometry by adding new sections to be numbered 13a, 13b, 13c, 13d, 13e, 13f, 13g, 13h and 13i, to Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, and amending Section 16, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; Section 13a, providing for an annual renewal fee and the price charged therefor, and declaring a license void for non-payment thereof; Section 13b, prescribing duties of board as to issuance of annual renewal certificates; Section 13c, defining and construing the words

'ascertaining and measuring the powers of vision of the human eye,' as used in Section One (1), Chapter Fifty-one (51), Acts of the Thirty-seventh Legislature, First Called Session; Section 13d, defining and construing the words 'and fitting lenses or prisms,' as used in Section One (1), Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; Section 13e, defining and construing the words 'persons who sell spectacles and eye-glasses as merchandise,' as used in this act; Section 13f, providing that signing, or causing a prescription to be signed, for an ophthalmic lens without personal examination of eyes, prescribing for or practicing optometry under this act when knowingly suffering from a contagious or infectious disease to be against interests of public health, welfare, safety, and comfort and a violation of this act; Section 13g, permitting optical mechanics to do mechanical work of manufacturing ophthalmic lenses, providing for sale of ophthalmic lenses, providing for sale of ready-to-wear spectacles or eye-glasses at wholesale as merchandise to merchants for resale as provided; Section 13h, providing that it shall be unlawful for any person in State to give spectacles and eye-glasses as a prize or premium or inducement to promote sale of certain things named; Section 13i, repealing laws in conflict; Section 16, providing that nothing in this act shall be construed to apply to persons who sell spectacles and eye-glasses as merchandise; officers or agents of the United States or the State of Texas in the discharge of their official duties, or to prevent duly licensed physicians and surgeons from treatment of the human eye or prescribing or fitting lenses or glasses for the aid thereof."

And find the same correctly engrossed.
COVEY, Vice-Chairman.

Committee Room,
Austin, Texas, February 17, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 440, A bill to be entitled "An Act authorizing the issuance of State of Texas refunding bonds in the amount of seven hundred and fifty thousand (\$750,000) dollars, dated February 1, 1925, bearing five (5) per cent interest, payable semi-annually, to be executed and delivered in lieu thereof to the holder of State of Texas Funding Bonds, Series 1923, dated February 1, 1923,

due February 1, 1925, and prescribing the duties of various State officials in reference thereto, and making an appropriation to pay the principal and interest thereof and to pay the expenses thereof, repealing the appropriation made to support the original issue of bonds, and declaring an emergency,"

And find the same correctly engrossed.
COVEY, Vice-Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, February 17, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to who was referred

H. B. No. 440, "An Act authorizing the issuance of State of Texas Refunding Bonds in the amount of seven hundred and fifty thousand (\$750,000) dollars, dated February 1, 1925, due February 1, 1927, bearing five (5%) per cent interest payable semi-annually, to be executed and delivered in lieu thereof to the holder of State of Texas Funding Bonds, Series 1923, dated February 1, 1923, due February 1, 1925, and prescribing the duties of various State officials in reference thereto, and making an appropriation to pay the principal and interest thereof and to pay the expenses thereof, repealing the appropriation made to support the original issue of bonds, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,
Austin, Texas, February 16, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 157, "An Act to repeal Chapter 95, Special Laws, Thirty-eighth Legislature, entitled 'An Act to provide an efficient system of road maintenance in Upshur county,' and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, CHAIRMAN.

Committee Room,
Austin, Texas, February 16, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 196, "An Act to amend House bill No. 170, Chapter 22 of the Local and Special Laws passed by the Thirty-eighth Legislature, wherein the Higgins Independent School District was created containing certain land and premises situated in Lipscomb county, Texas; providing that the trustees of the district continue in office and that the trustees be seven in number; that the maintenance tax and bonds heretofore voted are hereby validated and shall remain in full force and effect; conferring upon said district and its officers all right, power, privilege and duties now conferred and imposed by the general laws of the State upon independent school districts, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 16, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 159, "An Act adding to and making a part of the Birome Independent School District of Hill county, Texas, certain lands and territory contiguous thereto, conferring upon the board of trustees of the said Birome District the authority and jurisdiction over such lands and territory and the inhabitants thereof as are prescribed in Chapter 22, Special Laws of Texas, passed by the Thirty-third Legislature, Regular Session, creating the Birome Independent District, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room

Austin, Texas, February 16, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 214, "An Act creating and incorporating Center Independent School District No. 5 in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing

that the Center Independent School District shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School District No. 1 in Hockley county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Ropes Independent School District No. 1; providing that all property now vested in Ropes Independent School District No. 1, with its metes and bounds of Center Independent School District No. 5, as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provisions of this act shall not invalidate any remaining parts or provision, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 16, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 165, "An Act creating and incorporating Dixie Independent School District in Lynn county, Texas, out of territory now comprising Common School District No. 18 of Lynn county, as heretofore created by the county board of school trustees of said county; defining boundary thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Dixie Independent School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 18 of Lynn county; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trus-

tees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions hereof, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

TWENTY-EIGHTH DAY.

(Tuesday, February 17, 1925.)

The House met at 4:56 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Dunn of Hopkins.
Albritton.	Durham.
Alexander	Enderby.
of Bastrop.	Farrar.
Amsler.	Faulk.
Atkinson.	Fields.
Avis.	Finlay.
Baker of Orange.	Florence.
Baker of Panola.	Foster.
Barker.	Frnka.
Barron.	Graves.
Bartlett.	Gray.
Bateman.	Hagaman.
Bean.	Hall.
Bedford.	Harman.
Bird.	Harper.
Blount.	High.
Bobbitt.	Hollowell.
Boggs.	Hoskins.
Bonham.	Hull.
Brown.	Irwin.
Bryant.	Jacks.
Cade.	Jasper.
Carter.	Johnson.
Chitwood.	Jordan.
Coffey.	Justice.
Conway.	Kayton.
Coody.	Kenyon.
Covey.	King.
Cox of Lamar.	Kinnear.
Cox of Navarro.	Kittrell.
Cummings.	Laird.
Dale.	Lane of Hamilton.
Daniels.	Lane of Harrison.
Davis of Dallas.	Lipscomb.
Davis of Wood.	Loftin.
DeBerry.	Low.
Dielmann.	Mankin.
Dinkle.	Masterson.
Donnell.	Maxwell.
Downs.	McBride.
Dunn of Falls.	McDonald.

McDougald.	Sheats.
McFarlane.	Simmons.
McGill.	Simpson.
McKean.	Sinks.
McNatt.	Smith of Travis.
Merritt.	Smyth.
Montgomery.	Sparks.
Moore.	Stautzenberger.
Nicholson.	Stell.
Parish.	Stevens.
Pavlica.	Stevenson.
Pearce.	Storey.
Perdue.	Stout.
Poage.	Taylor.
Pool.	Thompson.
Pope.	Tomme.
Purl.	Veatch.
Rawlins.	Wade.
Raymer.	Walker.
Renfro.	Wallace.
Rice.	Webb.
Rogers.	Wells.
Rowell.	Westbrook.
Rowland.	Wester.
Runge.	Williamson.
Sanford.	Woodruff.
Shearer.	Young.

Absent.

Alexander	Powell.
of Limestone.	Robinson.
Dunlap.	Smith of Nueces.
Houston.	Strong.
Jones.	Teer.
Kemble.	Wilson.
Petsch.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Farrar, Mr. Kittrell and Mr. Irwin:

H. B. No. 479, A bill to be entitled "An Act to dispense with the reading to the jury of all pleadings of all parties to a civil suit, and providing that the parties or their attorneys may orally and concisely state the facts and issues embraced in such pleadings to the jury under the direction and control of the court, and further providing that the office and purpose of such pleadings shall in no manner be imparted in any other respect, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Rowland:

H. B. No. 480, A bill to be entitled